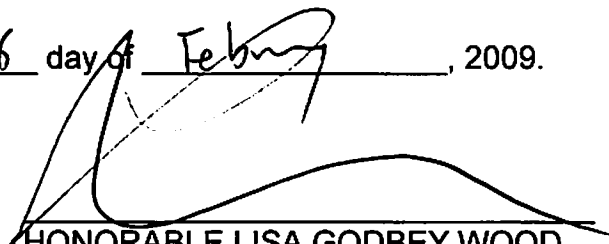


motions and is not applicable to Petitioner. In his petition and objection Petitioner states that other prisoners who were similarly situated with worse criminal histories were transferred to Federal Prison Camps. Petitioner's civil rights claims were dismissed without prejudice; therefore, if petitioner wishes to pursue his equal protection claims, he may do so.

Petitioner also asserts that 28 U.S.C. § 2241 is the appropriate method for addressing the execution of his federal sentence, specifically, his custody classification and place of custody. These issues were appropriately addressed in the Magistrate Judge's Report, and as decisions regarding Petitioner's security classification are a discretionary function of the BOP, this portion of Petitioner's claim was properly denied. See Cohen v. United States, 151 F.3d 1338, 1343 (11th Cir. 1998).

Petitioner's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Petitioner's petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DENIED** in part, and **DISMISSED** in part. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 18 day of February, 2009.



HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE